

REMARKS

Reconsideration of the subject application in light of the submitted amendments, is respectfully requested.

The currently pending claims are directed to real-time online search processing methods, in which search requests constructed using vendor site search form URLs are submitted directly to vendor sites identified using stored vendor descriptions. Independent claims 8 and 29, for example, include the steps, among others, of accessing or maintaining a database having vendor descriptions for a plurality of vendors, including vendor sites in different native languages, and which include a "search form URL" for each of the plurality of vendors, descriptions of domains found in the vendor sites, and rules about how information is organized on each of the vendor sites. The methods also include the step of constructing or processing a search or comparison request, received in one of the different native languages, by using, *inter alia*, the information maintained in the database which includes the search form URLs, to identify vendors to search and to construct the search request from the vendor descriptions for the identified vendors. The constructed search requests are submitted directly to the identified vendors. Also included is the step of extracting from information received from identified vendor sites, information in the one of the different native languages.

Claims 8 through 35 are currently pending in the subject application. Claims 8 and 29 have been amended to clarify that the claimed invention is capable of handling sites in different native languages, such that a user can submit a request in one of a plurality of different native languages, and the method will return results in the native language used by the user. Support for these amendments can be found throughout the subject application, for example at paragraphs 123, 132, 141, and 283 of the published version. Further, the amendments to Claim 29 rearrange the wording in the "processing parameters" element to improve readability, and also clarify that the "processing parameters" element includes identifying vendor sites, based upon the

request and the vendor descriptions, which may have price information relevant to the price comparison request.

Rejection under 35 USC 103(a) – Lunenfeld in view of Gralla

In the Official Action of September 6, 2005, the Examiner has relied upon Lunenfeld, and a newly cited excerpt from "How the Internet Works," pages 185 -189, to reject the claims under 35 USC 103(a), a new ground of rejection. See pages 2 through 4 of the Office Action. Although page 2 of the Office Action includes the sentence "Claims 8-35 are rejected under 35 U.S.C. 102(e) as being anticipated by Lunenfeld," it is believed that such sentence may have been a typographical error in view of the Examiner's statement on page 4 of the Office Action that "Lunenfeld does not specifically teach using search form URLs."

The Examiner cites page 189, box 3, of Gralla "as evidence that search form URL's were an old and well known means of searching the Internet." See Office Action, page 4. Applicant respectfully submits that Gralla teaches the use of intermediary search services, each operating in their own particular unspecified fashion, to search various sites and return lists of hits with descriptions and links. On page 189 of Gralla, for example, the Yahoo, Alta-Vista, Lycos and Excite search services are depicted as being searched by the "Agents," and links such as <http://hotfiles.com/home.html> being returned. As such, it is respectfully submitted that Gralla does not teach, suggest, or make obvious the use of search form URL's to submit search requests directly to identified vendors.

In contrast, amended claims 8 and 29 of the subject application recite that information is obtained from vendor sites by submitting search requests, which include search form URLs for the vendor sites, directly to the identified vendor sites.

Claims 8 and 29 of the subject application also recite that vendor sites are identified for searching based upon the user request and information in the vendor descriptions in the offline database. It is respectfully submitted that neither Lunenfeld

nor Gralla teach such a feature. For example, it is believed that in the user request forms shown in Figs. 5A through 10 of Lunenfeld, server addresses are either selected by the user or are default server addresses. See for example, Lunenfeld col. 78:63 – 79:4. In other words, for example, Lunenfeld does not disclose “identifying from the vendor descriptions, vendor sites which may have price information relevant to the price comparison request,” such as is recited in amended claims 8 and 29.

Further more, it is respectfully submitted that neither Lunenfeld, nor Gralla, describe or disclose operation with sites of different native languages. The examples given and described in these references are in the English language, and there is no discussion of handling sites in different native languages.

It is therefore respectfully submitted that claims 8 and 29 are allowable over the cited references, and that claims 9-28 and 30-35, as dependent from allowable base claims, are also allowable.

Finality of the Rejection:

It is not clear whether the Examiner intended the action to be non-final or final. “Office Action Summary” paragraph 2b (indicating the action to be “non-final”) is in conflict with the “Conclusion” section bridging pages 4 and 5 of the Detailed Action (indicating that the action is “final”). In view of MPEP 706.07(b) second paragraph, that a first action in a continuing application may not be made final if it contains a new ground of rejection, the Examiner’s new ground of rejection under 35 U.S.C. 103(a), the newly cited pages 185 -189 of Gralla, and the absence in the Detailed Action of form paragraphs 7.42.09 as discussed at the end of MPEP 706.07(b), it is respectfully submitted that the present Office Action should be non-final. Clarification is respectfully requested.

Conclusion

For the foregoing reasons, it is respectfully submitted that the subject application is in condition for allowance, and the Examiner's indication thereof is respectfully requested.

Respectfully submitted,
DLA Piper Rudnick Gray Cary US LLP

Dated: October 25, 2006

By:



Gerald T. Sekimura
Reg. No. 30,103
Tel.: (415) 836-2500

Attn. Patent Department
DLA Piper Rudnick Gray Cary US LLP
153 Townsend Street, Suite 800
San Francisco, CA 94107-1957